

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CINDY VAN LOO,

Plaintiff,

v.

UNITED STATES OF AMERICA et al.,

Defendant.

CASE NO. 3:23-cv-05618-DGE

ORDER ON JOINT DISCOVERY
STATEMENT (DKT. NO. 70)

This matter comes before the Court on the parties' Joint Discovery Dispute Statement (Dkt. No. 70). Plaintiff seeks to discover Special Deputy United States Marshal Ryan Kimmel's disciplinary records, which Defendants claim has no relevance and involves sensitive matters affecting SDUSM Kimmel and his family's personal privacy interests. (Dkt. No. 70 at 2.)

The Court held a hearing on the matter on February 2, 2024, and directed the Government to submit certain documents for *in camera* review to determine the relevance of SDUSM Kimmel's disciplinary record to the matters at issue in this case. After reviewing the documents submitted, and considering Plaintiff's arguments at the hearing, the Court finds

SDUSM Kimmel’s disciplinary record meets the minimum relevance standard under Rule 26. Although the question is close, the Court finds production of those records proportional to the needs of the case considering the importance of the issues at stake in the action. *See* Fed. R. Civ. P. 26(b)(1). There is certainly a burden to SDUSM Kimmel’s privacy in producing these records; however, the Court is satisfied that designation of the records as “Attorney’s Eyes Only” within the existing protective order (Dkt. No. 69) and any additional protections the Government may seek to impose will sufficiently mitigate the burden to SDUSM Kimmel.

It is so ordered.

DATED this 12th day of January 2024.



David G. Estudillo
United States District Judge